

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DOC # 31

SCANNED

NEXTEC APPLICATIONS, INC.,
a Georgia corporation,

Plaintiff,

v.

BROOKWOOD COMPANIES, INC.,
a Delaware Corporation; and

THE HALLWOOD GROUP, INC.,
a Delaware corporation,

Defendants.

ECF Case 07 Civ. 06901 (RJH)

**NOTICE OF MOTION
TO ADMIT COUNSEL
DANIEL N. YANNUZZI
PRO HAC VICE**

FILED COURT
U.S. DISTRICT COURT
2008 FEB 20 AM 9:31
S.D. OF N.Y.

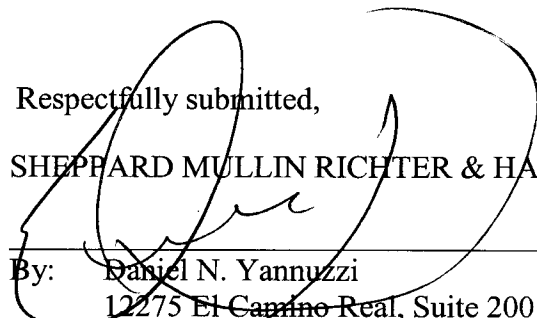
PLEASE TAKE NOTICE that upon the annexed affidavit of movant, Daniel N. Yannuzzi,

support of this motion and the Certificates of Good Standing annexed thereto, we will move this Court before the Honorable Richard J. Holwell at the United States Courthouse for the Southern District of New York, pursuant to Rule 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York for an Order allowing the admission of movant, a member of the firm of Sheppard Mullin Richter & Hampton, LLP and a member in good standing of the Bar of the State of California, as attorney *pro hac vice* to argue or try this case in whole or in part as counsel.

Dated: February 11, 2008

Respectfully submitted,

SHEPPARD MULLIN RICHTER & HAMPTON LLP

By: 
Daniel N. Yannuzzi
12275 El Camino Real, Suite 200
San Diego, California 92130
Telephone: (858) 720-8900
Facsimile: (858) 509-3691
dyannuzzi@sheppardmullin.com

Attorneys for plaintiff Nextec Applications, Inc.

642573 #25 2-20-08

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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NEXTEC APPLICATIONS, INC.,
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**AFFIDAVIT OF DANIEL N.
YANNUZZI IN SUPPORT OF
MOTION TO ADMIT COUNSEL
PRO HAC VICE**

State of California)
) ss:
County of San Diego)

Daniel N. Yannuzzi, being duly sworn, hereby deposes and says as follows:

I am a member of the law firm of Sheppard, Mullin, Richter, & Hampton LLP.

I submit this affidavit in support of my motion for admission to practice *pro hac vice* in the above captioned matter.

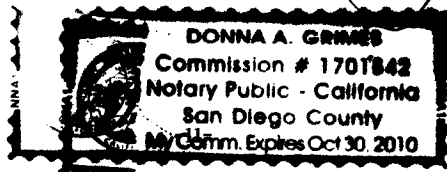
1. As shown in the Certificates of Good Standing annexed hereto, I am a member in good standing of the Bars of the State of California.
2. There are no pending disciplinary proceedings against me in any State or Federal court.
3. Wherefore your affiant respectfully submits that he be permitted to appear as counsel and advocate *pro hac vice* in this one case.

Dated: February 11, 2008

Sworn to before me on this
11th day of February, 2008

Daniel N. Yannuzzi
Notary Public

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UNITED STATES DISTRICT COURT
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ADMISSION TO PRACTICE
PRO HAC VICE

The motion for admission to practice *pro hac vice* in the above captioned matter is granted.
The admitted attorney, Daniel N. Yannuzzi, is permitted to argue or try this particular case in whole or in part as counsel or advocate.

An attorney admitted to practice *pro hac vice* is required to pay a \$25.00 attorney admission fee and present this Order to the intake deputy clerk in the Clerk's Office. When paying by mail, return a copy of this Order to the Clerk's Office with the required fee.

This Order confirms your appearance as counsel in this case, and it will be entered on the Court's docket. A notation of your admission *pro hac vice* for the above listed case will be made on the roll of attorneys.

The attorney admitted *pro hac vice* must serve a copy of this Order on all other counsel in this case.

Dated:

United States District Judge



THE
STATE BAR
OF CALIFORNIA

180 HOWARD STREET
SAN FRANCISCO, CALIFORNIA 94105-1639
TELEPHONE (415) 538-2000

February 8, 2008

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, DANIEL NICHOLAS YANNUZZI, #196612 was admitted to the practice of law in this state by the Supreme Court of California on October 5, 1998; and has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

Kath Lambert
Custodian of Membership Records

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Defendants.

Case No.

AFFIDAVIT OF SERVICE

DIANA RAMIREZ, being duly sworn, deposes and says:

I am not a party to this action, am over eighteen years of age, and reside in New York County, New York.

On February 19, 2008, I served the within NOTICE OF MOTION TO ADMIT COUNSEL DANIEL N. YANNUZZI PRO HAC VICE, AFFIDAVIT OF DANIEL N. YANNUZZI IN SUPPORT OF MOTION TO ADMIT COUNSEL PRO HAC VICE, DECLARATION AND ADMISSION TO PRACTICE PRO HAC VICE upon counsel as follows:

Thomas J. Parker, Esq.
ALSTON & BIRD LLP
90 Park Avenue
New York, New York 10016-1387
Telephone: (212) 210-9400
Facsimile: (212) 210-9444

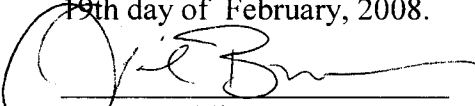
*Attorneys for Defendant
Brookwood Companies, Inc.*

by first-class mail by placing a true copy of same in a properly-addressed, securely-sealed

envelope, postage postpaid, and by causing said envelope to be deposited in an official depository under the exclusive care and custody of the United States Postal Service within the state of New York.


DIANA RAMIREZ

Sworn to before me this
19th day of February, 2008.


Notary Public

GAIL BUINA
Notary Public, State of New York
No. 01BU8002366
Qualified in New York County
Commission Expires February 2, 2010